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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, NOVEMBER 21, 2001

APPLICATION OF

BUSINESS TELECOM

OF VIRGINIA, INC. d/b/a/ BTI

CASE NO. PUC010204

For certificate of public  
convenience and necessity to  
provide interexchange  
telecommunications services  
throughout the Commonwealth of Virginia

ORDER FOR NOTICE AND COMMENT

On October 5, 2001, Business Telecom of Virginia, Inc. ("Business Telecom" or "Applicant") filed an application for a certificate of public convenience and necessity ("certificate") with the State Corporation Commission ("Commission") to provide interexchange telecommunications services throughout the Commonwealth of Virginia.<sup>1</sup> The Applicant also requested authority to price its interexchange telecommunications services on a competitive basis pursuant to § 56-481.1 of the Code of Virginia.

NOW UPON CONSIDERATION of the application, the Commission is of the opinion and finds that Business Telecom's application should be docketed; that the Applicant should give notice to the public of its application; that interested parties should have

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<sup>1</sup> By Commission Order dated October 9, 1997, in Case No. PUC970111, Business Telecom was authorized to provide local exchange telecommunications services throughout the Commonwealth of Virginia.

an opportunity to comment and request a hearing on Business Telecom's application; and that the Commission Staff should conduct an investigation into the reasonableness of the application and present its findings in a Staff Report.

Accordingly, IT IS ORDERED THAT:

(1) This case is docketed and assigned Case No. PUC010204.

(2) On or before December 14, 2001, the Applicant shall complete publication of the following notice to be published on one (1) occasion as classified advertising in newspapers having general circulation throughout the Applicant's proposed service territory:

NOTICE TO THE PUBLIC OF AN APPLICATION BY  
BUSINESS TELECOM OF VIRGINIA, INC. d/b/a BTI  
FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND  
NECESSITY TO PROVIDE INTEREXCHANGE  
TELECOMMUNICATIONS SERVICES THROUGHOUT THE  
COMMONWEALTH OF VIRGINIA  
CASE NO. PUC010204

On October 5, 2001, Business Telecom of Virginia, Inc. d/b/a BTI ("Business Telecom" or "Applicant") filed an application with the State Corporation Commission ("Commission") for a certificate of public convenience and necessity ("certificate") to provide interexchange telecommunications services throughout the Commonwealth of Virginia. In its application, the Applicant also requested authority to price its interexchange telecommunications services on a competitive basis pursuant to § 56-481.1 of the Code of Virginia.

Copies of the application are available for public inspection between the hours of 8:15 a.m. and 5:00 p.m., Monday through Friday, in the Commission's Document Control Center located on the first floor of the Tyler Building, 1300 East Main Street,

Richmond, Virginia, or can be ordered from Business Telecom's counsel, Brian McDermott, Esquire, Swidler Berlin Shereff Friedman, LLP, 3000 K Street, N.W., Suite 300, Washington, D.C. 20007-5116.

Any person desiring to comment on Business Telecom's application for a certificate to provide interexchange telecommunications services may do so by directing such comments in writing on or before January 4, 2002, to the Clerk of the Commission at the address set out below.

Any person may request a hearing on Business Telecom's application by filing an original and fifteen (15) copies of its request for hearing on or before January 4, 2002, with the Clerk of the Commission at the address set out below. Requests for hearing must state with specificity why a hearing should be conducted.

All written communications to the Commission concerning Business Telecom's application should be directed to Joel H. Peck, Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218, and must refer to Case No. PUC010204.

BUSINESS TELECOM OF VIRGINIA, INC. d/b/a/ BTI

(3) On or before December 14, 2001, Applicant shall provide a copy of the notice contained in ordering paragraph two (2) to each local exchange telephone carrier certificated in Virginia and each interexchange carrier certificated in Virginia by personal delivery or first-class mail, postage prepaid, to the customary place of business. Lists of all current local exchange and interexchange carriers in Virginia are attached to this Order as Appendices A and B, respectively.

(4) Any person desiring to comment in writing on Business Telecom's application for a certificate to provide interexchange telecommunications services may do so by directing such comments on or before January 4, 2002, to the Clerk of the Commission at the address set forth below. Comments must refer to Case No. PUC010204.

(5) On or before January 4, 2002, any person wishing to request a hearing on Business Telecom's application for a certificate to provide interexchange telecommunications services shall file an original and fifteen (15) copies of its request for hearing in writing with Joel H. Peck, Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218. Written requests for hearing shall refer to Case No. PUC010204 and shall state the following: (i) a precise statement of the interest of the filing party; (ii) a statement of the specific action sought to the extent then known; (iii) a statement of the legal basis for such action; and (iv) a precise statement why a hearing should be conducted in the matter. Copies shall also be served on the applicant.

(6) On or before January 11, 2002, the Applicant shall file with the Commission proof of notice and proof of service as ordered herein.

(7) The Commission Staff shall analyze the reasonableness of Business Telecom's application and present its findings in a Staff Report to be filed on or before January 16, 2002.

(8) On or before January 24, 2002, the Applicant shall file with the Clerk of the Commission an original and fifteen (15) copies of any response to the Staff Report or parties' objections and requests for hearing. A copy of the response shall be delivered to Staff and the other parties by overnight delivery.

(9) The Applicant shall respond to written interrogatories or data requests within seven (7) days after the receipt of the same. Parties shall provide to the Applicant, other additional parties, and Staff any workpapers or documents used in preparation of their requests for hearing, promptly upon request. Except as so modified, discovery shall be in accordance with Part IV of the Rules.